

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The March 2, 2004 Office Action and the Examiner's comments have been carefully considered. In response, the specification and claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

SPECIFICATION

In the Office Action the disclosure is objected to because of certain informalities. In response, the disclosure is amended along the lines proposed by the Examiner.

With regard to the Examiner's objection to page 1 of the Specification as set forth in item 1(a) on page 2 of the Office Action wherein the Examiner states that "Page 1 of the Specification has been duplicated and the changes have not been initialed," Applicants respectfully state the following. The specification was not duplicated in its entirety and submitted to the Patent Office. Instead, page 1 of the specification was duplicated and the amendment to page 1 of the specification was indicated on the duplicate copy of page 1 of the specification as

Appl. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

required by the Patent Office Rules of Practice at the time the present application was submitted to clearly set forth how the specification was amended in the Preliminary Amendment dated March 5, 2002. If, even in view of the aforementioned explanation, the Examiner still has questions regarding the submission of a duplicate copy of page 1 of the specification, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below for prompt action.

In view of the amendments to the specification and aforementioned comments, reconsideration and withdrawal of the objection to the specification are respectfully requested.

CLAIM OBJECTIONS

In the Office Action, claims 1-4 are objected to because of certain informalities. In response, claims 1-4 are amended in a sincere effort to overcome the objections thereto. In view of the amendment of claims 1-4, reconsideration and withdrawal of the objection to claims 1-4 are respectfully requested.

REJECTION UNDER 35 USC 112, SECOND PARAGRAPH

In the Office Action claim 8 is rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

which Applicants regard as the invention. In response, claim 8 is amended in a sincere effort to overcome the indefiniteness rejection. In view of the amendment of claim 8, reconsideration and withdrawal of the rejection of claim 8 under the second paragraph of 35 USC 112 are respectfully requested.

PRIOR ART REJECTIONS

In the Office Action claims 1-7 and 10-12 are rejected under 35 USC 102(b) as being anticipated by USP 5,790,977 (Ezekiel). Claims 8 and 9 are rejected under 35 USC 103 as being unpatentable over Ezekiel in view of USP 5,968,110 (Westrope et al.).

In response, independent claims 1-3 and 12 are amended in a sincere effort to more clearly define the present claimed invention over the cited reference. Claim 4 is amended to be dependent on claim 2, claim 5 is amended to be dependent on claim 3, claim 6 is amended to be dependent on claim 4, claim 7 is amended to be dependent on claim 5 and claim 8 is amended to be dependent on claim 2. No new matter is added.

The present claimed invention as defined by amended claim 1 is directed to an interactive demonstration system for a measuring instrument using a network. The system includes, in response to a request for providing demonstration information on

Appin. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

a predetermined measuring instrument from a user terminal and a request for making operation, delivering to the user terminal via a network an operational program that contains demonstration information for enabling a desired measuring object to be switch-connected to the measurement instrument, and properties of the desired measuring object to be measured. The system also causes the user terminal to deliver to a predetermined measuring instrument terminal via the network an operational command that contains demonstration information operated and input at the user terminal in order to switch-connect the desired measuring object to the measurement instrument, and measure the properties of the desired measuring object, based on the delivered operational program. The system also causes the measuring instrument terminal to control the predetermined measuring instrument connected to the measuring instrument in response to the operational command that contains demonstration information from the user terminal in order to switch-connect the desired measuring object to the measurement instrument, and measure the properties of the desired measuring object, and to deliver a measurement result obtained by the measuring instrument to the user terminal via the network. The system then causes the user terminal to output the measurement result delivered from the measuring instrument terminal via the network.

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

Claim 1 requires that in response to a request for providing demonstration information on a predetermined measuring instrument from a user terminal and a request for making operation, an operational program is delivered to the user terminal via a network. Claim 1 is amended to specifically recite that the operational program contains demonstration information for enabling a desired measuring object to be switch-connected to the measurement instrument, and properties of the desired measuring object to be measured.

Claim 1 also recites that the interactive demonstration system causes the user terminal to deliver a predetermined measuring instrument terminal via the network and an operational command that contains demonstration information operated and input at the user terminal in order to switch-connect the desired measuring object to the measurement instrument. Claim 1 is amended to specifically recite that the system switch-connects the desired measuring object to the measuring instrument, and measures the properties of the desired measuring instrument based on the delivered operational program.

Claim 1 also recites that the interactive demonstration system causes the measuring instrument terminal to control the predetermined measuring instrument connected to the measuring instrument terminal in response to the operational command that

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

contains demonstration information from the user terminal in order to switch-connect the desired measuring object to the measurement instrument, measure the properties of the desired measuring object, and to deliver a measurement result obtained by the measuring instrument to the user terminal via the network.

In rejecting claims 1-7 and 10-12, the Examiner relies on Ezekiel.

USP 5,790,977 (Ezekiel) is directed to communications with analytical instruments and pertains particularly to specific data acquisition from a remote instrument, for example, using a network browser on the Worldwide Web (www). Ezekiel is directed to acquiring specific measurement data regarding representative measurement items and measurement conditions which are static.

See column 5, lines 31-47 of Ezekiel.

Fig. 3 of Ezekiel shows a graph "dynamically" indicating measurement data. The "dynamically" in such a context is different from "dynamically" used in prior claim 1 of the present invention with respect to a feature wherein the measuring object, measurement items and measuring conditions can be variably set in accordance with a user's request.

Furthermore, Ezekiel simply discloses that the user obtains measurement data due to the operation of a remote application, and selects one of some devices and measurement items fixedly

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

provided by the provider. That is, Ezekiel is not intended to effect interactive operations between the user and the server (in which the user variably sets the measuring object, and the server allows the user to do so) as with the present invention.

In contrast, the present claimed invention as defined by claim 1 is directed to an operational program that provides demonstration information for dynamically and interactively operating the measuring instrument including selecting measuring items, measuring conditions or the like of the user's interest concerning the measuring instrument. See, for example, page 29, lines 8-13 of the present application.

Referring now to Fig. 5 of the present application, for example, when the user specifies the measuring object (8, 9) on the homepage (25) by the selection icon (26), the specified measuring object is transmitted to the measuring instrument terminal (5a, 5b, 5c) that is a connection destination. When the measuring object has been selected, the front panel screen (14) of the measuring instrument (6a, 6b, 6c) stored in the storage section of its own user terminal (3) is displayed on, and is output to, the display of its own user terminal as shown in Figure 4. When the user inputs an operational command to the measuring instrument by using the operational icon (24a, 24b) on the displayed front panel screen, this operational command is

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

transmitted to the measuring instrument terminal of the connection destination. See page 35, line 13 - page 37, line 18 of the present application.

As a result, the measuring instrument carries out measurement under measurement items and measuring conditions specified by an operational command for the measuring object, and delivers the measurement result to the measuring instrument terminal.

Claim 1 has been amended to more clearly indicate that the user terminal specifies a desired measuring object to be switch-connected to the predetermined measuring instrument and properties of the desired measuring object to be measured are transmitted to the user terminal.

Ezekiel does not disclose, teach or suggest enabling a desired measuring object to be switch-connected to the measurement instrument and selected properties of the desired measuring object to be measured, switch-connecting the desired measuring object to the measurement instrument and measuring the selected properties of the desired measuring object based on a delivered operational program, switch-connecting the desired measuring object to the measurement instrument and measuring the properties of the desired measuring object and to deliver the measurement result obtained by the measuring instrument to the

Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

user terminal via the network and causing the user terminal to output the measurement result delivered from the measuring instrument terminal via the network, as recited in amended claim 1.

None of the other references of record close the gap between the present claimed invention as defined by claim 1 and Ekeziel.

In view of the foregoing, claim 1 is patentable over Ezekiel and the other references of record under 35 USC 102 as well as 35 USC 103.

Claims 2, 3 and 10 include amendments similar to those set forth in connection with claim 1 and are patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1.

Claims 4-9 are either directly or indirectly dependent on claims 2 and 3 and are patentable over the cited references in view of their dependence on claims 2 or 3 and the because the references do not disclose, teach or suggest each of the limitations set forth in dependent claims 2-9.

In view of the foregoing, claims 1-9 and 12 are in form for immediate allowance, which action is earnestly solicited.

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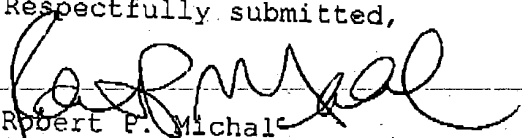
Appln. No. 10/070,512
Amendment dated June 2, 2004
Reply to Office Action of March 2, 2004

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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